The Examiner did not consider Applicant's one-paragraph Information Disclosure Statement dated November 22, 2006 because the Examiner stated it was "not accompanied with any hard copy or evidential support to what is being stated therein, nor is it signed". A signed copy, dated November 22, 2006, is enclosed. (Applicant's undersigned attorney signed the Information Disclosure Statement on November 22, 2006, but inadvertently mailed an unsigned copy). Applicant's Amendment and Remarks dated November 22, 2006 were signed and summarized the IDS. The IDS was mailed with and attached to other signed documents, including Applicant's Amendment and Remarks dated November 22, 2006. Therefore, the IDS dated November 22, 2006 was timely filed and the proper fee at the time of submission has already been paid. As for the former objection, Applicant does not have any hard copy or evidential support for the prior art information described in the IDS. Rather, Applicant provides the prior art information from Applicant's memory. MPEP 609 cannot limit 37 CFR 1.56, and Applicant made its disclosure of prior art information from Applicant's memory under 37 CFR 1.56. Applicant hereby submits a PTO form 1449 with a listing of Applicant's prior art information dated November 22, 2006. The Examiner is requested to initial it.

Claims 1, 3-5 and 7-17 were rejected under 35 USC 102(e) based on Crespo et al. - US Publication 2003/0046682 now US Patent 6,854,112. Applicant respectfully traverses this rejection based on the following.

Claim 1 recites a computer program product for installing applications on a server. A multiplicity of program objects install a respective multiplicity of the applications on the server. First program instructions determine a plurality of the program objects which currently have prerequisite parameters for their respective applications. Second program instructions invoke the plurality of program objects. One of the plurality of program objects, after installation of one of the applications, invokes another of the program objects to install another of the applications, supplying a prerequisite parameter for the other program object needed to install the other application. The one program object generated the prerequisite parameter based on installation of the one application.

Crespo et al. disclose a tool for installing a software package at a target computer.

"Packages are created via a SD Pack component (106). ... Once the location has been assigned, a process sets the package to be loaded in the Initial Load of a machine (808). Then, a process is triggered to set the package to status "Available" for this assigned location. Any SD Server that belongs to the same location and is defined by the same function, and that queries the Configuration database (100) will download this specific system package." Crespo et al. Paragraph 0105.

"The process performed within the SD Server 108 includes two components: a SRC file and a SDCONF process. **The SRC file, as previously described, is generated during the workstation generation process, and contains the necessary parameters in a specific format that will fill specific templates (i.e. the machine name, the network adapter, the Domain, the video adapter, the keyboard, the Default router, etc.).** The SDCONF is a process that reads the SRC file and generates response files necessary for the unattended loading of the target machine." Crespo et al. Paragraph 0107. (Emphasis Added)

"The operating system and the application response files needed to complete the installation of the target machine (112) are created. Basically, the SDCONF process includes the execution of a script that is stored on the SD Server (108) and that is remotely-executed by the SD Application (102). This remote procedure reads data from the SRC file, and creates response files and function specific scripts needed for full installation of the target machine (112). The response files and function-specific scripts are built by filling response-files templates residing in the SC Server (108) with the appropriate information. These scripts are used for installing additional packages to be included in the pristine installation process, which are assigned in advance by the SD Application (102) to the function of the respective machine. The parameters in the SRC file have specific meanings for building the script. Most of the parameters come from the definition of the function that the target machine performs, while others are specific to that machine (e.g. hardware, IP address, etc.). Moreover, some parameters are limited to specific operating systems. This logic is

implemented in building the script (SDCONF) that will be responsible for parsing and reading the SRC file." Crespo et al. Paragraphs 0109 and 0110.

Crespo et al. does not disclose that the one program object generated the prerequisite parameter based on installation of the one application, as recited in claim 1. Rather, Crespo et al. generate the SRC file "during the workstation generation process". "The SRC file contains the necessary parameters in a specific format that will fill specific templates (i.e. the machine name, the network adapter, the Domain, the video adapter, the keyboard, the Default router, etc.)." Therefore, the rejection of claim 1 under 35 USC 102 (e) should be withdrawn. For the same reason, the rejection of independent claims 5, 13 and 16 under 35 USC 102(e) should be withdrawn.

35 USC 103(c) states,

"Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f) and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person."

Both the present patent application and Crespo et al. are assigned to the same person, i.e. International Business Machines Corporation. Attached are copies of the recordation of assignments. Therefore, no rejection can be made under 35 USC 103 for independent claims 1, 5, 13 or 16 (or dependent claims 2-4 and 9-10, 6-8 and 11-12, 14-15 and 17).

Claim 4, which depends on claim 1, further recites that a first one of the plurality of program objects installs distributing computing software, a second one of the plurality of program objects installs data base management software and a third one of the plurality of program objects installs prerequisite software for WWW server software. Crispo et al. does not teach separate program objects to install respective software programs. The scripts of Crispo et al. are not program objects, as described in the present patent application and illustrated in

Figure 1. The Distribution package of Crespo et al. is the actual software programs to be installed, not program objects to install the software programs. Therefore the rejection of claim 4 under 35 USC 102(e) based on Crespo et al. should be withdrawn for additional reasons. Claim 8, which depends on claim 5, adds the limitations of claim 4, and therefore the rejection of claim 8 under 35 USC 102(e) based on Crespo et al. should be withdrawn for additional reasons. Because both the present patent application and Crespo et al. are assigned to the same person, i.e. International Business Machines Corporation, no rejection can be made under 35 USC 103 for dependent claims 4 or 8.

Claim 9, which depends on claim 1, further recites that one of the program objects, during installation of one of the applications, configures a remote database by setting up a TCP/IP port on the server. This port will be used by the server to access the remote database using TCP/IP communications. The one program object tests connectivity to the remote database via the port by sending a signal to the remote database via the port and determining if a response is received. Crespo et al. does not teach that the program object which installs the application and configures an associated remote database also tests connectivity to the remote database. In Paragraph 0102 Crespo et al. teach that a process creates a subnet. However, creation of a subnet is different than configuring a remote database by setting up a TCP/IP **port**. A subnet is a network to which devices are connected. Crespo et al also teach checking whether a subnet exists in step 506, but does not teach how Crespo et al. perform this checking; Crespo et al. does not teach testing connectivity to a remote database. The "IP address" referenced in Paragraph 0110 of Crespo et al. identifies the target machine to receive installation of the software package. It does not identify a TCP/IP port to access a remote database. Crespo et al. does not teach that the program object which installs the application and configures an associated remote database also tests connectivity to the remote database. Because these elements of claim 9 are not found in Crespo et al., the rejection of claim 9 under 35 USC 102(e) based on Crespo et al. should be withdrawn for additional reasons. Claim 11, which depends on claim 5, adds the limitations of claim 9, and therefore the rejection of claim 11 under 35 USC 102(e) based on Crespo et al. should be withdrawn for additional reasons. Claim 14, which depends on claim 13, adds the limitations of claim 9, and therefore the rejection of claim 14 under 35 USC 102(e) based on Crespo et al. should be withdrawn for additional reasons. Claim 17, which depends on

claim 16, adds the limitations of claim 9, and therefore the rejection of claim 17 under 35 USC 102(e) based on Crespo et al. should be withdrawn for additional reasons. Because both the present patent application and Crespo et al. are assigned to the same person, i.e. International Business Machines Corporation, no rejection can be made under 35 USC 103 for dependent claims 9, 11, 14 or 17.

Based on the foregoing, the present patent application as amended above should be allowed.

Respectfully submitted,

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